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PENDING LITIGATION

Filed on November 6, 2025:

BRIEF (Filing No. 31)

Filing No. 31 provides a review of the facts that substantiate vacating the arbitration award, along with a description of the suppressed evidence and of other facts and information that have been discovered after the 2023 arbitration.

"Exhibit 'S'

Exhibit 'S' presents the evidence that my Android smartphone was compromised by a multifaceted exploit chain to sabotage my Schwab account, and moreover that TD Ameritrade's app was integrally involved--in 2018--**while the companies were supposedly still competitors.**

Go to bottom section of this page to view all filings for Case 8:23-cv-00407

A BRIEF SUMMARY OF THE PERTINENT FACTS

(Please see Filing No. 31 for more details)

My petition to vacate the FINRA arbitration award (i.e., the dismissal my claims) was filed in September 2023. After two years without a decision from the Court, I submitted a motion on November 6, 2025 requesting that a ruling be entered or, alternative, for a hearing.

The evidence excluded from my case at the arbitration substantiates new claims that are not subject to Schwab's arbitration agreement because they

claims that are not subject to Schwab's arbitration agreement because they concern events that occurred after the account was closed. So, while I will be proceeding with new claims regardless of the decision in this case, the court's ruling has significant bearing regarding claim and issue preclusion (since claims already decided cannot be retried, and issues that could have been raised previously cannot substantiate a new claim). As such, it is necessary that this case gets resolved without further delay.

The Arbitration Award was procured through undue means

Before the 2023 FINRA arbitration, Schwab produced the documents showing the "Hotlisting" occurred--along with other incriminating evidence. They strategically waited until after the deadline for amending claims at the FINRA arbitration--months after discovery materials were due to be exchanged--and after their successfully resisting my motion to compel production). Critical evidence was interspersed amongst more than 1200 pages of mostly insignificant material:

Put simply, Schwab was not required to produce these materials, but doing so now enables them to claim, now, that those incriminating materials 'were made available before the arbitration and therefore I had a fair chance to include it.' Nothing could be further from the truth...

I submitted exhibits that included the evidence of the Fraud Hotlists memos and the evidence of money laundering through the futures account. But, as the first order of business at the hearing, Schwab moved to strike the exhibits. Previously, Schwab and I had mutually agreed--stipulated in writing--that any materials exchanged by the parties were fair game to be introduced as exhibits, but the arbitrator simply ignored our agreement, and the materials were removed from the record. The case was ultimately dismissed without the Defendants ever having to present any defense.

My petition to vacate the arbitration award was filed in September 2023. After awaiting the Court's decision for two years, I submitted a motion on November 6, 2023 requesting that a ruling be entered or, alternatively, for a

hearing to be held.

Filings for 8:23-cv-00407 (District of Nebraska)

Pitlor vs. TD Ameritrade, Inc. and Charles Schwab & Co., Inc.

View full Docket Report (as of 11/12/2025)

Petition to Modify/Vacate the Arbitraiton Award (Filing No. 2)

Petition to Modify/Vacate the Arbitration Award (Filing No. 2)

ATTACHMENT A: Arbitration Award (June 7, 2023)

ATTACHMENT B: Order Denying Claimaint's Discovery Motions

ATTACHMENT C: Claimaint's Motion to Compel Discovery and for Adverse Inferences

ATTACHMENT D: Respondents' Brief in Opposition to Discovery Motions

ATTACHMENT E: Claimant's Reply (re: Discovery Motions)

ATTACHMENT F: Claimant's Statement of Claim

ATTACHMENT G: Respondents' Answer to Statement of Claim

ATTACHMENT H: Respondents' Prehearing Brief

ATTACHMENT I: Claimant's and Respondents' Exhibit Lists

ATTACHMENT J: Schwab Futures Statements 2018-2021

ATTACHMENT K: Bridger LexisNexis Product Information

ATTACHMENT L: Memorandum and Order (8:20-cv-267) Pitlor v. TD/Schwab et al.

Defendants' Motion to Dismiss for Lack of Jurisdiction, Supporting Briefs, & Supplemental Filings (Filing Nos. 12,13,14,17,18)

Defendants' Motion to Dismiss for Lack of Jurisdiction (Filing No. 12)

Brief in Support of Motion to Dismiss (Filing No. 13)

Index of Evidence (Filing No. 14)

Supplemental Brief (Filing No. 17)

Plaintiff's Brief in Opposition to Motion to Dismiss (Filing No. 21)

Plaintiff's Reply Brief (Filing No. 21)

ATTACHMENT M: Certified Mail Receipts and Tracking Info

ATTACHMENT N: Referenced Case Law

ATTACHMENT O: E-mails between Plaintiff and Defendants' counsel

ATTACHMENT P: FINRA A.W.C. No. 2019061076001 (Barclays Capital)

Defendants' Reply Brief in Support of Motion to Dismiss (Filing No. 22)

Defendants Reply Brief (Filing No. 22)

Plaintiff's Surreply (Filing Nos. 23, 24)

Plaintiff's Motion for leave to file Surreply (Filing No. 23)

Surreply Brief (Filing No. 24)

Plaintiff's Motion for a Hearing or, Alternatively, a Ruling (Filing Nos. 30, 31)

Plaintiff's Motion (Filing No. 30)

Brief in Support (Filing No. 31)

ATTACHMENT P: FINRA A.W.C. No. 2019061076001 (Barclays Capital)

ATTACHMENT Q: Respondents' Exhibit List

ATTACHMENT R: Claimant's Exhibit List

ATTACHMENT S: Declaration of David Pitlor (re: coding errors and app crashes)

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